

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.12106 of 2022**

Arising Out of PS. Case No.-380 Year-2021 Thana- ARA NAGAR District- Bhojpur

Chhotu Yadav S/o Jawahar Yadav Resident of Village- Ibrahimpur, P.S.- Ara  
Town, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                         |
|----------------------|---|-------------------------|
| For the Petitioner/s | : | Mr.Sarveshwar Tiwary    |
| For the Informant    | : | Mr. Md. Ataul Haque     |
| For the State        | : | Mr. Sanjay Kumar Sharma |

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

5      04-01-2023                      Heard   learned   counsel   for   the   petitioner,  
  
informant and learned A.P.P appearing on behalf of the  
  
State.

The petitioner is languishing in custody in a  
  
case registered for the offences punishable under  
  
Sections 302/34 of the Indian Penal Code and Section  
  
27 of the Arms Act.

It is a case of commission of murder of the son  
  
of the informant.

It is submitted by learned counsel for the  
  
petitioner that petitioner is innocent and he has falsely



been implicated in this case. It is further submitted that informant is not an eye witness to the occurrence and only on the basis of previous enmity, the petitioner has been roped in the present case. The petitioner is languishing in custody since 29.10.2021.

Learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner and submitted that there is specific overt act against the petitioner that he shot fire at the victim, as a result of which, he succumbed to the injuries. The postmortem report also corroborates the prosecution version. During investigation, the independent witnesses have also supported the case of the prosecution.

Since there is specific accusation against the petitioner, this Court is not inclined to grant bail to the petitioner. The prayer for grant of bail to the petitioner stands rejected.

The Trial Court is directed to expedite the trial



and conclude the same within a period of six months from today. The petitioner is at liberty to renew his prayer for bail, if the trial is not concluded within six months.

(Sunil Kumar Panwar, J)

Shageer/-

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